

Amendment
Application No. 10/082,268
Attorney Docket No. 020220

REMARKS

Claims 1-33 are pending in the application. Claims 1, 6 and 11 have been amended. No new matter has been added. In light of the amendments to the claims and the accompanying remarks, applicant earnestly solicits favorable reconsideration.

On the Merits

Claims 1-33 have been rejected under 35 U.S.C. § 102(e) as being anticipated by *Nakata et al.* (US Application 2003/0091329). The rejection states that claims 1-33 were rejected under 35 U.S.C. § 102(b), but it is believed that the Examiner mistakenly cited 102(b) and meant to cite 102(e).¹

Applicants have amended claims 1, 6 and 11 in order to further clarify the claims.

Independent Claim 1:

Independent claim 1 requires a video playback unit which comprises 6 elements:

¹video playback means for reading in a designated video file and outputting a video of the video file for playback;

²scene description file read-in means for reading in a scene description file which describes a scene inside the video file;

³means for outputting a time information sequence existing before and after the playback time of the video within time information described in the scene description file;

¹ The Examiner also reproduced the 102(e) paragraph for the rejection.

⁴means for outputting the still image sequence corresponding to the time information displayed, wherein the still image is described in the scene description file;

⁵means for renewing the display of the time information sequence and the still image sequence by synchronizing with the current playback time of the video while playing back the video; and

⁶display means for displaying said video, time information sequence and still image sequence.

Regarding the second element (2) of claim 1, the Examiner submits that it is disclosed in paragraph 173 of *Nakata*. Applicants respectfully traverse this rejection. In paragraph 173, a title of a clip is only disclosed, but a file representing information in the clip is not completely disclosed. That is, information corresponding to a title name of the present invention is taught by *Nakata*, but the scene description file which describes a scene inside a video file and is different from the title name, is not completely taught.

As to the third element (3) of claim 1, the Examiner submits that it is disclosed in paragraph 180 of *Nakata*. However, in the paragraph 180, an in-point time code display column 111 and an out-point time code display column 113 are only disclosed, but "means for outputting a time information sequence existing before and after the current playback time of the video within time information described in the scene description file" of the present invention is not completely taught by *Nakata*.

Regarding the fifth element (5) of claim 1, the Examiner contends this element is also disclosed in paragraph 180. *Nakata* does not disclose the renewing feature of the element “by synchronizing with the playback time of the video.” Applicants respectfully submit that the “renewing” feature required in the claim is not disclosed by *Nakata* in paragraph 180 as the Examiner contends.

As *Nakata* appears to be directed toward a video editing system, particularly in a broadcast system environment, it is not concerned with “renewing the display of time information sequence and the still image sequence” as required in claim 1.

Particularly, in paragraphs 181 to 186, *Nakata* discusses editing operations which discuss reproducing a file in which the file can be searched via a “slider portion” or “jog shuttle portion.” The slider portion appears to let the user go to any position in the file by moving the slider. With the jog shuttle portion, the editor can vary the search speed of the device in the range from -50 times speed to +50 times speed. See paragraphs 183 and 184.

Nakata appears to search a video by using a “slider” or a “jog shuttle.” The claimed invention, however, allows a user to preview still frames of video and requires a means for renewing the display of the time information sequence and the still image sequence. See for example figures 3A, 3B, 4A and 4B. *Nakata* does not disclose this feature, renewing the time information and still image sequences. *Nakata* appears to disclose an entirely different way of viewing and finding the correct video image.

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Dependent Claims 2, 3, 7, 8 and 10:

As claims 2, 3, 7, 8 and 10 each depend upon independent claim 1, the arguments presented above also apply to the dependent claims.

Independent Claim 4:

Independent claim 4 requires:

means for delivering a video data related to the designated video file from a server at a constant transmission rate; and

means for delivering a scene description data which describes the scene of the video file from the server by synchronizing with the video data at a constant transmission rate.

The Examiner contends these features are disclosed by *Nakata* in paragraphs 251 and 264. Applicants respectfully traverse the Examiner's rejection. The second element of claim 10 requires delivering scene description data by synchronizing with the video data at a constant rate. Applicants respectfully submit that this feature is not disclosed or fairly suggested by the *Nakata* reference.

Paragraph 251 of *Nakata* appears to describe how a video signal is input to the "matrix switcher portion 3B of the editing processing unit 3." Nowhere does *Nakata* make reference to any scene description data as required by claim 4.

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Paragraph 264 appears to describe how the “CPU 21 searches a video material recorded in the selected source file.” Nowhere does *Nakata* make reference to any scene description data as required by claim 4.

In fact, claim 4 of the present application appears to be directed toward a different invention than the *Nakata* reference. Claim 4 requires a “video delivery unit” which delivers video data **and** scene description data. *Nakata* on the other hand, does not appear to disclose or suggest delivering “scene description data.” As *Nakata* is directed toward an editing system for broadcast stations, there does not appear to be any need to deliver “scene description data” because once the program is edited, just video data will be output.

As such, Applicants respectfully submit that claim 4 is presently in condition for allowance.

Dependent Claims 5, 6 and 9:

As claims 5, 6 and 9 each depend upon independent claim 4, the arguments presented above regarding claim 4 should apply to its dependent claims. As such, Applicants respectfully traverse the Examiner’s rejection.

Independent Claim 11:

Independent claim 11 is similar to independent claim 1 except that claim 11 is directed toward a process. Therefore, the same arguments made above regarding independent claim 1

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also apply to independent claim 11. As such, Applicants respectfully traverse the Examiner's rejection.

Dependent Claim 12:

As claim 12 depends upon claim 11, the same arguments made above regarding claim 11 should also apply to claim 12. As such, Applicants respectfully traverse the Examiner's rejection.

Independent Claim 13:

Independent claim 13 requires:

A video playback unit of a plurality of videos comprising:

¹video description file processing means for reading in a video description file of a designated video group;

²main video playback means for playing back a first main video file designated by the video information described in the video description file;

³proxy video playback means for playing back a second proxy video file designated by the video information described in said video description file; and

⁴display means for displaying the first main video and the second proxy video played back by said main video playback means and proxy video playback means;

⁵wherein said proxy video file is small in a file size or a coded bit rate in contrast to said main video file.

Regarding each element of independent claim 13, the Examiner contends that it is disclosed by *Nakata* in paragraph 184. Applicants respectfully traverse the Examiner's rejection. In paragraph 184, *Nakata* discusses the "jog shuttle" operation of the device (as mentioned above).

Regarding the first element (1) of claim 13, neither this paragraph, nor another paragraph in *Nakata* discloses the means for reading in a video description file *of a designated group*, as required in claim 13. Here *Nakata* appears to disclose the operation of the jog shuttle, which appears to be an editing tool that allows the editor to change the speed of the video. No mention is made of a description file of a designated video group, or the means to read in the file name thereof.

Regarding the second element (2) of claim 13, a video playback means for playing back a video designated by the information described in the video description file, Applicants respectfully submit that *Nakata* does not disclose this feature. Paragraph 184 does mention a reproduction button of the jog shuttle portion, however, no mention is made of playing back the video by *designating information from the video description file*. Emphasis added.

The third element (3) requires a proxy video playback means for playing back a second video. Again, as mentioned above, no mention is made of playing back a video by *designating information from the video description file*. A fortiori, no mention is made of playing back a *second* video by designating information from the video description file.

The fifth element (5) requires that the proxy video file is small in size or a coded bit rate in contrast to the main video file. Applicants respectfully submit that *Nakata* does not disclose any sort of proxy video, including one that is smaller in size. As such, Applicants respectfully traverse the Examiner's rejection.

Dependent Claims 14, 15, 21-24, 29-31 and 32:

As claims 14, 15, 21-24, 29-31 and 32 each ultimately depend upon independent claim 13, the arguments presented above regarding claim 13 should also apply to its dependent claims.

Independent Claim 16:

In rejecting claim 16, the Examiner has specifically relied upon paragraphs 172 and 176 of *Nakata*.

The second element of claim 16 requires a **proxy** video playback means for playing back the **proxy** video files designated by the information described in the video description file. Paragraph 176 of *Nakata* appears to disclose how an editor would select videos from the log window and place them in the program window in the order they are to be played. Each of the videos in the log window may have a title which describes the video.

An example of a proxy video is shown in figures 14A and 14B of the present invention, reference character 2. As shown in the figures, a proxy video is minor (i.e. not the main) video.

Applicants respectfully submit that *Nakata* does not disclose or fairly suggest any feature relating to playback of two videos, a main video and a proxy video. Therefore, the “proxy” playback means also does not appear to be disclosed by the *Nakata* reference.

The third element of claim 16 requires a means for selecting one video file from the displayed proxy video file. As indicated above, the *Nakata* reference does not refer to any sort of proxy video file.

The fourth element of claim 16 requires a means for changing the selected proxy video file to the playback display of the main video file. As indicated earlier, *Nakata* does not disclose any “proxy” video capability. As such, *Nakata* cannot disclose switching the playback display of the proxy and main video files. As such, Applicants respectfully traverse the Examiner’s rejection.

Independent Claim 17:

Independent claim 17 requires some features similar to those of claims 13 and 16. The arguments presented above regarding these features should also apply to claim 17. Furthermore, as indicated above, *Nakata* does not appear to disclose any “proxy video” feature. As such, this requirement of the present application should not be disclosed by the *Nakata* reference.

Dependent Claim 18:

As claim 18 depends upon claim 17, the arguments presented above regarding claim 17 should apply to claim 18. As such, Applicants respectfully traverse the Examiner’s rejection.

Independent Claim 19:

As independent claim 19 contains many of the same features as those discussed in independent claims 13, 16 and 17, the same arguments as applied to those claims also apply to claim 19. Specifically, the “proxy video” feature of independent claim 19 is not disclosed in the *Nakata* reference. As such, Applicants respectfully traverse the Examiner’s rejection.

Dependent Claim 20:

As claim 20 depends upon claim 19, the arguments presented above regarding claim 19 also apply to claim 20. As such, Applicants respectfully traverse the Examiner’s rejection.

Independent Claim 25:

Independent claim 25 is similar to independent claim 4. As mentioned in claim 4, the present application is directed toward a different invention than the *Nakata* reference. Claim 25 requires a “video delivery unit” which delivers the main video file and the proxy video file **and additionally** delivers a scene description file. *Nakata* on the other hand, does not appear to disclose or suggest delivering “scene description data.” Furthermore, *Nakata* does not appear to disclose the “proxy video” as the Examiner contends.

The Examiner contends these features are disclosed in paragraphs 224 and 264. It appears that paragraph 224 is directed toward figure 18 and device icons. The appropriate icon will be indicated depending from what source the material is coming from; i.e. server, local storage, VTR, etc. With this disclosure, the Examiner contends that the first element of claim 25

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is disclosed. However, the first element of claim 25 requires delivering a designated **video description file** from a server. Paragraph 224 simply appears to be disclosing materials and events edited from a source drive. Applicants respectfully submit that *Nakata* does not support the Examiner's assertion that it delivers from a server a video description file, as required by claim 25.

As *Nakata* is directed toward an editing system for broadcast stations, there is not any need to deliver "scene description data" because once the program is edited, only video data appears to be the output.

Dependent Claims 26-28:

As claims 26-28 each ultimately depend upon claim 25, the arguments presented above regarding claim 25 also apply to its dependent claims. As such, Applicants respectfully traverse the Examiner's rejection.

Independent Claim 33:

As claim 33 is similar to claim 13, the same arguments presented above to claim 13 also apply to claim 33. As such, Applicants respectfully traverse the Examiner's rejection.

In view of the aforementioned amendments and accompanying remarks, Applicants submit that the claims, as herein submitted, are in condition for allowance. Applicants request such action at an early date.

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If the Examiner believes that this application is not now in condition for allowance, the Examiner is requested to contact Applicants' undersigned agent to arrange for an interview to expedite the disposition of this case.

If this paper is not timely filed, Applicants respectfully petition for an appropriate extension of time. The fees for such an extension or any other fees that may be due with respect to this paper may be charged to Deposit Account No. 50-2866.

Respectfully submitted,
WESTERMAN, HATTORI, DANIELS & ADRIAN, LLP

A handwritten signature in black ink, appearing to read "D. M. Hubbs", is positioned above the printed name.

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